



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,015	10/05/2000	Ronald J. Kloss	KLOSS-001A	8547

7663 7590 04/23/2004

STETINA BRUNDA GARRED & BRUCKER
75 ENTERPRISE, SUITE 250
ALISO VIEJO, CA 92656

EXAMINER

HUTTON JR, WILLIAM D

ART UNIT	PAPER NUMBER
----------	--------------

2178

3

DATE MAILED: 04/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PR4

Office Action Summary	Application No. 09/680,015	Applicant(s) KLOSS, RONALD J.	
	Examiner Doug Hutton	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 5 is objected to because of the following informalities:

- the term “a” in Line 1 should be amended to — the — because the element has previously been identified (see Claim 1, Line 5); and
- the term “that” in Line 1 should be amended to — so that it — so the limitation reads more clearly.

Claims 8 and 10 are objected to because of the following informalities:

- Claims 8 and 10 depend from Claim 1, yet the claims do not correspond to Claim 1. Claim 1 recites a method for forming a timeline on a computer, wherein the timeline is created by entering a starting and ending date for an event, creating a time box for that period of time and linking the time box to an event page. Claim 8 attempts to specify a timeline that includes multiple events and multiple event pages linked to a time box, whereas Claim 10 attempts to further specify that the timeline comprises multiple time boxes. Claims 8 and 12 attempt to further modify the steps of Claim 1, which becomes very confusing with all the “time boxes,” “events” and “event pages.” Applicant should amend the claims to more clearly recite the subject matter of the claimed invention.

Claim 12 is objected to because of the following informalities:

- the phrase “operative to receive” in Line 2 should be amended to — that receives — so that the limitation is positively recited;
- the term “finishing” in Line 2 should be amended to — ending — because that is how the element is subsequently identified (see Line 6);
- the phrase “operative to create” in Line 4 should be amended to — that creates — so that the limitation is positively recited;
- the phrase “operative to link” in Line 7 should be amended to — that links — so that the limitation is positively recited.

Claim 14 is objected to because of the following informalities:

- the term “finishing” in Line 3 should be amended to — ending — because that is how the element is previously identified (see Claim 12, Line 6); and
- Claim 14 has the same problems as Claim 8 regarding the multiple events, time boxes and event pages as discussed in the above objection to Claim 8.

Claim 16 is objected to because of the following informalities:

- the phrase “is operative to create a time box that” in Line 2 should be amended to — creates the time box so that it — so the limitation reads more clearly.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 6-8, 10-12, 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by www.hyperhistory.com, as archived on dated 2 May 1999 (Hyperhistory).

Claim 1:

Hyperhistory discloses a method of forming an interactive timeline with a computer (see the attached web pages from the www.hyperhistory.com website; these pages were obtained using the Wayback Machine, as evidenced in the attachments; the web pages printed from Hyperhistory includes the HTML documents for each web page), the method comprising the steps of:

- a) entering a starting date for an event into the computer (the invention includes the step of “entering a starting date for an event into the computer” in that the home page allows selection of a period of time that includes a starting date for that period of time; the “event” is the period of time; the “timeline” includes every period of time listed on the web page);
- b) entering an ending date for the event into the computer (the invention includes the step of “entering an ending date for the event into the computer” in that the home page allows selection of a period of time that includes an ending date for that period of time);

- c) creating a time box with the computer, the time box corresponding to a period of time between the starting date and the ending date (the invention includes the step of "creating a time box" that corresponds to a "period of time between the starting date and the ending date" in that, upon selection of a period of time, the website displays a web page that corresponds to that period of time; for example, see the attached web page of the "time box" for the years 500-1000); and
- d) linking the time box to an event page wherein the event page comprises information that occurred during the period of time between the starting date and the ending date for the event (the invention includes the step of "linking the time box to an event page" that includes "information that occurred during the period of time" in that, upon selection of a hypertexted "event" in the "time box," the website displays a discussion of that particular event; for example, see the attached web page that includes a discussion of the Mayan Empire).

Claim 2:

Hyperhistory discloses the method of Claim 1, wherein step (c) further comprises labeling the time box (see the attached web page of the "time box" for the years 500-1000 – the invention includes the step of "labeling the time box" in that the "time box" is labeled "Graphics from the World History Chart").

Claim 6:

Hyperhistory discloses the method of Claim 1, further comprising:

- e) repeating steps (a) - (c) in order to create multiple time boxes for the interactive timeline (Hyperhistory repeats steps (a) – (c) to create multiple time boxes in that several different periods of time are displayed); and
- f) linking respective time boxes to respective ones of the event pages containing information about respective events (the different periods of time are linked to their respective time boxes that contain information about events during that time period).

Claim 7:

Hyperhistory discloses the method of Claim 1, wherein step (d) comprises linking the time box to multiple event pages (every “time box” is linked to multiple event pages, as indicated in the attached web pages).

Claim 8:

Hyperhistory discloses the method of Claim 1, wherein:

- the event comprises multiple events having a first event and a last event (each period of time includes multiple “events” that include a “first” event and a “last” event);
- step (a) comprises entering a starting date of the first event (the “starting date” for the “first event” is the earliest year for that particular period of time);
- step (b) comprises entering an ending date for the last event (the “ending date” for the “last event” is the latest year for that particular period of time);

- step (c) comprises creating a time box corresponding to a duration of time between the starting date of the first event and the ending date of the last event (as indicated in the above rejection for Claim 1, the invention creates this time box); and
- step (d) comprises linking the time box to an event page wherein the event page comprises information corresponding to the multiple events that occurred during the period of time between the starting date of the first event and the ending date of the last event (as indicated in the above rejection for Claim 6, the invention discloses linking the time box to an “event page” that corresponds to multiple events that occurred during that particular period of time).

Claim 10:

Hyperhistory discloses the method of Claim 8, further comprising:

- e) repeating steps (a) - (c) in order to create multiple time boxes for the interactive timeline (Hyperhistory includes multiple “time boxes” for the timeline); and
- f) linking respective time boxes to respective ones of the event pages containing information about the events (as indicated in the above rejections for Claims 1 and 8, Hyperhistory discloses every limitation of this claim).

Claim 11:

Hyperhistory discloses the method of Claim 8, wherein step (d) comprises linking the time box to multiple event pages (as indicated in the above rejection for Claim 8, Hyperhistory discloses every limitation of this claim).

Claim 12:

This claim is merely for a publishing system that performs the method of Claim 1. Thus, Hyperhistory discloses every limitation of this claim using the same rationale indicated in the above rejection for Claim 1.

Claim 14:

This claim is merely for a publishing system that performs the method of Claim 10. Thus, Hyperhistory discloses every limitation of this claim using the same rationale indicated in the above rejection for Claim 10.

Claim 15:

This claim is merely for a publishing system that performs the method of Claim 2. Thus, Hyperhistory discloses every limitation of this claim using the same rationale indicated in the above rejection for Claim 2.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5, 9, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over by www.hyperhistory.com, as archived on dated 2 May 1999 (Hyperhistory).

Claim 3:

As indicated in the above discussion, Hyperhistory discloses every element of Claim 1.

Hyperhistory fails to expressly disclose importing a photograph into the time box. However, the examiner takes Official Notice that it was well-known by one of ordinary skill in the art at the time the invention was made to import a photograph into a web page. For example, a web page designer could have used the tag to import a .JPG file into an HTML web page in order to make the web page more attractive to visitors.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Hyperhistory, to include the step of importing a photograph into the time box for the purpose of making the web page more attractive to visitors.

Claim 4:

As indicated in the above discussion, Hyperhistory discloses every element of Claim 1.

Hyperhistory fails to expressly disclose creating the event page on the computer prior to linking the time box therewith. However, the examiner takes Official Notice that it was well-known by one of ordinary skill in the art at the time the invention was made to create the event page on the computer prior to linking the time box therewith for the purpose of providing a live link for the hypertext. If the event page had not been created prior to linking it to the time box, then the user would get a 404 error after clicking on the hyperlink.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Hyperhistory, to include the step of creating the event page on the computer prior to linking the time box therewith for the purpose of providing a live link for the hypertext.

Claim 5:

As indicated in the above discussion, Hyperhistory discloses every element of Claim 1.

Hyperhistory fails to expressly disclose creating the time box so that it is displayed vertically on a screen of the computer. However, the examiner takes Official Notice that it was well-known by one of ordinary skill in the art at the time the invention was made to create a web page component so that it is displayed vertically on a screen

of the computer for the purpose of maximizing the useable area of a computer display screen. If the web page designer does not efficiently use the area of each web page, then the number of visitors to the web site would be reduced.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Hyperhistory, to include the step of creating the time box so that it is displayed vertically on a screen of the computer for the purpose of maximizing the useable area of a computer display screen.

Claim 9:

This claim is essentially equivalent to Claim 4, except that it depends from Claim 8. Thus, Hyperhistory teaches every limitation of this claim using the same rationale indicated in the above rejection for Claim 4.

Claim 13:

This claim is essentially equivalent to Claim 4, except that it depends from Claim 12. Thus, Hyperhistory teaches every limitation of this claim using the same rationale indicated in the above rejection for Claim 4.

Art Unit: 2178

Claim 16:

This claim is essentially equivalent to Claim 5, except that it depends from Claim 12. Thus, Hyperhistory teaches every limitation of this claim using the same rationale indicated in the above rejection for Claim 5.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Ferguson et al., U.S. Patent No. 6,064,984; Wolff et al., U.S. Patent No. 6,526,398; Reitz, U.S. Patent No. 5,649,182; King et al., U.S. Patent No. 5,528,745; and Friedman et al., U.S. Patent No. 6,360,188.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (703) 305-1701. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

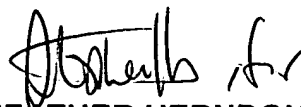
Application/Control Number: 09/680,015

Page 13

Art Unit: 2178

WDH

April 9, 2004

A handwritten signature in black ink, appearing to read 'Heather Herndon', with a checkmark to the right.

**HEATHER HERNDON
SUPERVISORY PATENT EXAMINER
TECH CENTER 2100**